

PATENT

Attorney Docket No. 97-3-802CON1

## CERTIFICATE OF MAILING

I hereby certify that this Information Disclosure Statement and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date 6/22/00 in an envelope as "Express Mail Post Office to Addressee" mailing label Number EK092690216US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary E. Anza

(typed or printed name of person mailing paper)

Mary E. Anza  
(Signature of person mailing paper)

10836 U.S. PTO  
09/602079

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Vincent A. O'Byrne	)	
	)	
Serial No.: To Be Assigned	)	Group Art Unit: 2744
	)	
Filed: Herewith	)	Examiner: Q. Vuong
	)	
For: SYSTEM AND METHOD FOR	)	
INCREASING CDMA CAPACITY	)	
BY FREQUENCY ASSIGNMENT	)	

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.56, 1.97 and 1.99**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

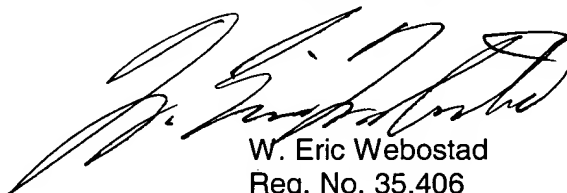
In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant submits this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.99 in the above-identified application for consideration by the Patent Office. A listing of the cited documents is also enclosed, as well as, for the Examiner's convenience, a copy of the document. Pursuant to 37 C.F.R. § 1.97(b)(3), because this Statement is being submitted before the first Office Action on the merits, no fee is required.



Applicant does not intend to represent that the document submitted herein is material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicant requests that the document submitted herein be considered and made of record in this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. Eric Webostad', is written over the typed name.

W. Eric Webostad  
Reg. No. 35,406

GTE Service Corporation  
HQE03G13  
600 Hidden Ridge  
Irving, TX 75038  
TEL: (781) 466-4013  
FAX: (781) 466-4021

PATENT

Attorney Docket No. 97-3-802

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this Information Disclosure Statement and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, 12/9/98 with sufficient postage as first class mail addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary E. Anza

(typed or printed name of person mailing paper)

Mary E Anza

(Signature of person mailing paper)

10836 U.S. PTO

09/602079



In re Application of: )

Vincent A. O'Byrne )

Serial No.: 09/050,680 )

Group Art Unit: 2744

Filed: March 30, 1998 )

Examiner: Unassigned

For: SYSTEM AND METHOD FOR )  
INCREASING CDMA CAPACITY )  
BY FREQUENCY ASSIGNMENT )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. Copies of the listed documents are attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines

that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This Information Disclosure Statement is being filed before receipt of a first Office Action on the merits for the above-referenced application. Should a first action on the merits have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under Rule 97(c) and charge the requisite Rule 17(p) fee to our Deposit Account No. 07-2339 and proceed to consider this Information Disclosure Statement.

Respectfully submitted,

By: Floyd E. Anderson  
Floyd E. Anderson  
Reg. No. 33,825

Date: 10/30/56

GTE Service Corporation  
HQE03G13  
600 Hidden Ridge  
Irving, TX 75038  
781/466-4016

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Atty. Docket No.  
97-3-802

Serial No. 08/050,680

Applicant

Vincent A. O'Byrne

Filing Date  
3/30/98Group  
2744JCS36 U.S. PTO  
09/602079

06/22/00

## U.S. PATENT DOCUMENTS

*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
	AA	5,642,377	6/24/97	Chung et al.	375	200	
	AB	5,644,591	7/1/97	Sutton	375	200	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	BA	Principles of CDMA, <a href="http://www.cdg.org/a_ross/Principles.html">http://www.cdg.org/a_ross/Principles.html</a> , p. 1.					
	BB	Spreading Codes, <a href="http://www.cdg.org/a_ross/Spreading.html">http://www.cdg.org/a_ross/Spreading.html</a> , p. 1.					
	BC	Reverse CDMA Channel, <a href="http://www.cdg.org/a_ross/Reverse.html">http://www.cdg.org/a_ross/Reverse.html</a> , p. 1-4.					
	BD	Forward CDMA Channel, <a href="http://www.cdg.org/a_ross/Forward.html">http://www.cdg.org/a_ross/Forward.html</a> , p. 1-5.					
	BE	Introduction to CDMA, <a href="http://www.cdg.org/a_ross/Intro.html">http://www.cdg.org/a_ross/Intro.html</a> , p. 1-2.					
	BF	IS-95 CDMA System issues, <a href="http://www.ericsson.se/systems/D-AMPS_1900/19_35_36.html">http://www.ericsson.se/systems/D-AMPS_1900/19_35_36.html</a> , p. 1-3.					
	BG	Sivarajan, Kumar N. et al., Channel Assignment in Cellular Radio, CH2379-1/89/0000/0846, IEEE, 1989, p. 846-850.					
	BH	Plehn, J., Applied Frequency Assignment, 0-7803-1927-3/94, IEEE, 1994, p. 853-857.					

Examiner

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449 Patent and Trademark Office - U.S. DEPARTMENT OF COMMERCE